

ORDINANCE NO. 599

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM "R-4" SINGLE FAMILY DWELLING CLASSIFICATION TO "R-4" SINGLE FAMILY DWELLING CLASSIFICATION UNDER A SPECIAL PERMIT TO ALLOW A PRIVATE KINDERGARTEN AND A DAY NURSERY, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE JOHN NIX SURVEY, ABSTRACT NO. 1088, DALLAS COUNTY, TEXAS, CITY OF FARMERS BRANCH, TEXAS AND FURTHER BEING OUT OF AN 81.65 ACRE TRACT, WADE FYKE TO CATO CORP., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF VALWOOD PARKWAY (A 100 FT. RIGHT-OF-WAY), AND THE W. LINE OF DENNIS LANE, (A 80 FT. RIGHT-OF-WAY) SAME BEING THE SE CORNER OF THE EPISCOPAL CHURCH 3.05 ACRE TRACT, AN IRON STAKE FOR CORNER; THENCE N. WITH THE W. LINE OF SAID DENNIS LANE AND THE E. LINE OF SAID 3.05 ACRE TRACT 60.0' TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 589.50 FT. AND A CENTRAL ANGLE OF 26 DEG. 14 MIN. TO AN IRON STAKE FOR CORNER; THENCE NORTHERLY WITH SAID CURVE 269.91' TO THE END OF SAID CURVE, SAME BEING THE NE CORNER OF SAID 3.05 ACRE TRACT TO THE PLACE OF BEGINNING OF TRACT HEREIN DESCRIBED, AN IRON STAKE FOR CORNER; THENCE, LEAVING THE W. LINE OF DENNIS LANE, N. 63° 46' W, WITH THE N. LINE OF SAID 3.05 ACRE TRACT AND PASSING AT 402.13' THE NW CORNER OF SAID 3.05 ACRE TRACT, A TOTAL DISTANCE OF 506.79' TO A POINT IN THE S LINE OF A 50' DRAINAGE RIGHT OF WAY AS RECORDED IN VOL. 4815 PAGE 468, DALLAS COUNTY DEED RECORDS, AN IRON STAKE FOR CORNER; THENCE WITH THE S LINE OF SAID 50' DRAINAGE RIGHT OF WAY, THE FOLLOWING: NORTH 48° 54' E 226.39', AN IRON STAKE FOR CORNER, NORTH 89° 26' E 310.0', AN IRON STAKE FOR CORNER, S 86° 58' E, 257.84' TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 405.68 FEET AND A CENTRAL ANGLE OF 3° 05', AN IRON STAKE FOR CORNER; THENCE,

LEAVING SAID 50 FOOT DRAINAGE RIGHT OF WAY, SOUTHERLY WITH SAID CURVE 21.83 FEET TO A POINT IN THE NORTHWEST LINE OF DENNIS LANE, (A 60 FOOT RIGHT OF WAY) AN IRON STAKE FOR CORNER; THENCE WITH THE NORTHWEST LINE OF SAID DENNIS LANE, THE FOLLOWING: SOUTH 40° 00' W, 188.66 FEET AN IRON STAKE FOR CORNER; N 50° 00' W, 10.00', AN IRON STAKE FOR CORNER; S 40° 00' W, 110.78' TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 589.50 FEET AND A CENTRAL ANGLE OF 13° 46' AN IRON STAKE FOR CORNER; SOUTHERLY WITH SAID CURVE, 141.64' TO THE PLACE OF BEGINNING, AND CONTAINING 3.638 ACRES OF LAND; SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Farmers Branch and the Governing Body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch and the state law with reference to the granting of special permits under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Farmers Branch is of the opinion that said special permit should be granted, subject to the conditions set out herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to change the following described tract from "R-4" Single Family Dwelling Classification to "R-4" Single Family Dwelling Classification under a special permit to allow a private kindergarten



and a day nursery, as provided for under the provisions of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to the special conditions contained herein, that the property to be covered by a special permit for Residential purposes is described as follows, to wit:

Being a tract of land situated in the John Nix Survey, Abs. No. 1088, Dallas County, Texas, City of Farmers Branch, Texas and further being out of an 81.65 acre tract, Wade Fyke to Cato Corp., and being more particularly described as follows:

Commencing at the intersection of the N. line of Valwood Parkway (a 100 ft. right of way), and the W. line of Dennis Lane, (an 80' right of way) same being the SE corner of the Episcopal Church 3.05 acre tract, an iron stake for corner;

Thence N. with the W. line of said Dennis Lane and the E. line of said 3.05 acre tract 60.0' to the beginning of a curve to the right having a radius of 589.50' and a central angle of 26° 14' to an iron stake for corner;

Thence Northerly with said curve 269.91' to the end of said curve, same being the NE corner of said 3.05 acre tract to the place of beginning of tract herein described, an iron stake for corner;

Thence, leaving the W. line of Dennis Lane, N. 63° 46' W, with the N line of said 3.05 acre tract and passing at 402.13' the NW corner of said 3.05 acre tract, a total distance of 506.79' to a point in the S. line of a 50' drainage right of way as recorded in Vol. 4815 Page 468, Dallas County Deed Records, an iron stake for corner;

Thence with the S line of said 50' drainage right of way, the following: North 48° 54' E, 226.39', an iron stake for corner, N 89° 26' E, 310.0', an iron stake for corner, S 86° 58' E, 257.84' to a point on a curve to the right having a radius of 405.68' and a central angle of 3° 05', an iron stake for corner;

Thence, leaving said 50' drainage right of way, Southerly with said curve 21.83' to a point in the Northwest line of Dennis Lane (a 60' R.O.W.) an iron stake for corner;

Thence with the Northwest line of said Dennis Lane, the following: S 40° 00' W, 188.66' an iron stake for corner; N 50° 00' W, 10.00', an iron stake for corner; S 40° 00' W, 110.78' to the beginning of a curve to the left having a radius of 589.50' and a central angle of 13° 46' an iron stake for corner; Southerly with said curve, 141.64' to the place of beginning, and containing 3.638 acres of land.

SECTION 2. That the special permit for Residential uses with reference to the hereinabove described property is approved and granted upon the following express conditions and in accordance with Article XIV of the Comprehensive Zoning Ordinance, to wit:

1. That adequate offstreet space be provided for passenger loading and unloading, and that plans for such offstreet loading and unloading be approved by the City Planning and Zoning Commission.

SECTION 3. That the site plan, when approved by the City Planning and Zoning Commission shall become a part of this ordinance for all purposes. A true copy of the site plan shall be retained in the office of the City Secretary and in the office of the City Manager for observance in connection with these improvements.

SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended, and as amended herein by the granting of this special permit for residential purposes.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, it appears that the above described

property requires that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED on the 23 day of February, 1966.

APPROVED:

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY